UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/688
5 September 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 5 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of a statement by the National Assembly of the Republic of the Congo concerning the legal and military crisis that began on 5 June 1997 in Brazzaville.

I should be grateful if you would have this statement circulated as a Security Council document.

(Signed) Daniel ABIBI
Ambassador
Permanent Representative

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Annex

Statement by the National Assembly concerning the legal and military crisis that began on 5 June 1997

In adopting the Constitution of 15 March 1992 by referendum and almost unanimously, the Congolese people had settled once and for all the question of devolution of power.

The preamble to the Constitution prohibits coups d'état as a means of acceding to power in the Republic of the Congo.

For a long time, coups d'état had been part of the political history of the Congo, representing the only means of acceding to power. They had therefore destroyed completely any hope of a truly democratic life.

National sovereignty belongs to the people through the ballot box. No group of individuals, and a fortiori no individual, may usurp it by other means.

In analysing the serious crisis that has befallen our country since 5 June 1997, in the wake of the failed coup d'état fomented by the Forces démocratiques unies (FDU) of Mr. Sassou-Nguesso, which has been transformed into a civil war, the National Assembly, meeting in extraordinary session on 4 September 1997, at the Palais du Parlement, vigorously condemned the coup d'état, which has brought about a crisis that seriously threatens the democratic process on which our country had embarked after the historic sovereign national conference.

This serious crisis has caused, inter alia:

- The indiscriminate killing of many people, most of them civilians;
- An unprecedented exodus of people fleeing Brazzaville and its environs, who have been given shelter in precarious conditions;
- Destruction of public and private buildings;
- Looting on an unprecedented scale, leading to the destruction of the socio-economic fabric.

The National Assembly pays tribute to the memory of the innocent victims of this crisis.

In the face of so much horror and suffering being experienced by the Congolese people, the National Assembly, as a product of the will of the people, deplores the guilty silence on the part of the Congolese political community, and the lack of reaction on the part of the international community in general and African States in particular.

The National Assembly notes the constant commitment by His Excellency the President of the Republic and head of State, Professor Pascal Lissouba, to restore peace, and urges him to persevere along that course.

It also notes the efforts being made by international and national mediators to find solutions to the crisis. In this connection, it congratulates His Excellency El Hadj Omar Bongo, President of the Gabonese Republic and Chairman of the International Mediation Committee, and Mr. Bernard Kolelas, parliamentary representative and Mayor of the city of Brazzaville and Chairman of the National Mediation Committee, on the work they have already done; it encourages them to continue that work.

The National Assembly reminds the nation and the world that, pursuant to article 149 of the Constitution of 15 March 1992, the decisions of the Constitutional Council are not subject to appeal. They are binding on public officials, all public authorities, the judiciary and private individuals.

Inasmuch as the decision of the Constitutional Council is consistent with the Constitution, and particularly as it is based on the principle set forth in article 67 and on the spirit of the Constitution as it relates to the transfer of power between the current President and his successor, the period of transition is perfectly lawful and constitutional. The argument that there is a so-called institutional impasse is therefore unjustifiable.

The National Assembly welcomes the establishment of the Espace républicain pour la défense de la démocratie et de l'unité nationale (ERDDUN), which has set as its main objectives the salvation of the Republic's institutions, the restoration of peace and the continuation of the electoral process.

The National Assembly congratulates the Congolese armed forces, which have remained faithful to the nation, on their determination in defending the Republic's institutions and the nation's territorial integrity.

The National Assembly commends the State media for the accuracy of the information they have disseminated concerning this crisis and for the efforts they are making to preserve national unity.

The National Assembly welcomes the initiative by the President of the Democratic Republic of the Congo, His Excellency Laurent Désiré Kabila, to establish an African peacekeeping force.

The National Assembly condemns past, present and future external interference in Congolese affairs on the part of the oil company ELF Congo, certain major Powers and certain neighbouring countries.

Lastly, the National Assembly calls for an end to hostilities, without conditions and without delay, so that the suffering of our people might be brought to a definitive end.

Long live democracy!

Long live the Republic!

Done at Brazzaville on 4 September 1997

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General Assembly
Security Council

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GENERAL

A/52/321
S/1997/689
5 September 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Item 154 of the provisional agenda*
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 4 September 1997 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

Today's triple bombing on Ben Yehuda Street in Jerusalem was not an isolated incident. It was only the latest in a series of terrorist attacks against innocent Israeli civilians. Nor was today's bombing the work of a singular individual or a small fringe group. These repeated attacks have been supported by a broad infrastructure of terrorism located in the territories under the control of the Palestinian Authority. Indeed, the Hamas organization has taken credit for the attack.

The Palestinian Authority must be held accountable for what has happened in Jerusalem. It would be one thing if the Palestinian security services were making a supreme effort to prevent these attacks, and they occurred anyway. But in this case, the Palestinian Authority has consistently failed to fulfil its security obligations. According to the Oslo II interim agreement between Israel and the PLO, as well as the United States-signed note for the record, the Palestinians have undertaken to fight terrorist organizations and dismantle their infrastructure.

Instead, the infrastructure of Hamas and Islamic Jihad has grown, as the Palestinian Authority has released hundreds of terrorist operatives from its prisons. Moreover, the Palestinian Authority has held back security cooperation with Israel as a political card in our negotiations. Finally, the public embrace of Hamas leaders by the PLO chairman, Mr. Yasser Arafat, sends a message to the Palestinian public legitimizing Hamas actions.

* A/52/150 and Corr.1.

The State of Israel views this terror as a threat to international peace and reserves the right to do what is necessary to provide for the defence of the Israeli people. Peace and terrorism are simply incompatible. Israel expects the international community to send a clear message to the Palestinian Authority to live up to its commitments to fight terrorism. There can be no progress in the peace process without the eradication of the terrorist infrastructure and close cooperation between the Palestinian Authority and Israel in security matters.

I should be grateful if you would have the present letter circulated as a document of the General Assembly under item 154 of the provisional agenda, and of the Security Council.

(Signed) Dore GOLD
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/690
5 September 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 4 SEPTEMBER 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 September 1997, in which the Minister for Foreign Affairs of the Republic of Iraq, Mr. Mohammed Said Al-Sahaf, describes the continuing difficulties and obstacles impeding proper implementation of resolution 986 (1995) and the memorandum of understanding.

I should be grateful if you would have this letter and its annex circulated as a Security Council document.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.

97-23154 (E) 050997 050997

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Annex

Letter dated 4 September 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to refer to my letter dated 8 August 1997 (S/1997/629), in which I described in detail developments during the first period for the implementation of the procurement and distribution plan. Since that date, there has been little change in the situation. The secretariat of the Committee established by resolution 661 (1990) still has before it 57 contract applications which it has not yet processed for circulation to members of the Committee, even though they were registered a long time ago. Those applications are in addition to the 83 applications already on hold - placed on hold for flimsy reasons at the request of the representatives of the United States of America and the United Kingdom of Great Britain and Northern Ireland. They are also in addition to the 21 applications which the two aforementioned States got the Committee to cancel.

We have undertaken consultations with the Secretariat concerning your draft report to the Security Council under resolution 1111 (1997) concerning the first 90 days of the second period, and we continue to encounter the same difficulties and obstacles regarding the approval of contract applications as during the first period, together with delays in the delivery of humanitarian items to Iraq. Delivery of such items was the declared objective of Security Council resolution 986 (1995). Three months have already elapsed since the end of implementation of the first period, meaning that three months ago Iraq had pumped the full amount of petroleum indicated on 31 May 1997. Despite the many appeals and letters to you, neither the United Nations Secretariat nor the Committee established by resolution 661 (1990) nor its secretariat has shown any readiness to try to respond to our legitimate requests to expedite the contract application procedure and urge the representatives of the United States and the United Kingdom to lift the hold on procurement contracts for food, medicines and other basic humanitarian requirements.

I raise these questions with you, for you are the depositary of the memorandum of understanding and are directly responsible for proper implementation of its provisions. The memorandum was signed by the Secretariat. Iraq is fulfilling all its obligations under its provisions and is cooperating with your representatives in Baghdad to implement them in a transparent and professional manner. The Secretariat, too, must assume its corresponding responsibilities and expose to all the members of the Committee established by resolution 661 (1990) in general, and to the representatives of the United States and the United Kingdom in particular, the consequences of the delay in delivering humanitarian items, as described in your draft report which we have discussed. The continuation of this situation and the negative attitude and obstructionism are incomprehensible and highly regrettable. We can only reaffirm that compensation and levies based on petroleum revenues have now become the objective of resolution 986 (1995), for we do not see any attention being paid on the humanitarian level to the delivery of items to Iraq, which was the purpose of the aforementioned resolution.

In Security Council circles, there have recently been communications and talk about the so-called mismanagement of the second period. The truth is that we have respected the provisions of the two relevant resolutions and of the memorandum of understanding as they relate to the beginning of the pumping of petroleum, in accordance with the schedule observed during the first period. The provisions of resolutions 986 (1995) and 1111 (1997) and of the memorandum of understanding, taken as a whole, stipulate that the volume of petroleum pumped will be such that the corresponding revenue will amount to $2 billion for the six-month period. The delivery of food, medicines and other supplies for essential civilian needs during the same period would correspond to that amount. Since that is what happened during the first period, the pumping of Iraqi petroleum began after the approval by the Secretary-General of the procurement and distribution plan, which is an essential element in the implementation of the memorandum of understanding. The pumping of petroleum during the first six-month period began in earnest, and began during the scheduled time-frame, despite the problems caused by the contract application procedure within the context of the procurement and distribution plan of the Committee established by resolution 661 (1990).

You will remember that you approved the procurement and distribution plan on 4 August 1997, and that marked the beginning of the pumping of petroleum for the second period. That is a natural and logical operation that will last six months as from that date. During the period referred to in the resolution and the memorandum of understanding, we look forward to an approval mechanism for contract applications submitted by companies and States entering into contracts with the relevant Iraqi parties, as well as to the import into Iraq of items covered by contracts during that period, and the removal of the obstacles encountered during the first period.

The interpretation which the United States and the United Kingdom are seeking to impose is purely formalistic and is based on the lack of linkage between resolution 986 (1995) and the memorandum of understanding on the one hand, and paragraph 1 of resolution 1111 (1997) on the other. The interpretation is neither correct nor realistic. It would mean that Iraq would have to pump the full amount of the petroleum authorized by the resolution in four months. As for the import of food, medicines and other items, the period would begin without any limits being fixed by the Security Council or the Committee established by resolution 661 (1990), the objective, according to the United States interpretation, being to apply the six-month condition to the export of Iraqi petroleum, but not to the import of humanitarian articles into Iraq. Iraq cannot accept that sinister interpretation, for the sale of petroleum for the purchase of food represents a deal whose two components are interdependent and complementary. It is inconceivable that one component could come into play while the other is blocked.

I hope that you understand Iraq's position on this question, and I ask you to intervene personally to bring the facts before the members of the Security Council so as to promote the objective of Security Council resolution 986 (1995) and the memorandum of understanding. I also hope that you will take the necessary measures to encourage the secretariat of the Committee established by resolution 661 (1990) to circulate to its members all the procurement contracts registered with the Committee, and that you will exert pressure on the

representatives of the United States and the United Kingdom to lift the hold placed on contract applications. Otherwise, we very much doubt that it will be possible to realize the humanitarian objectives of the memorandum of understanding.

I should be grateful if you would have this letter circulated as a Security Council document.

(Signed) Mohammed Said Al-SAHAF
Minister for Foreign Affairs of
the Republic of Iraq

UNITED NATIONS

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S/1997/691
5 September 1997

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GENERAL ASSEMBLY
Fifty-second session
Items 90 and 95 of the provisional agenda*
INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS
QUESTION OF EAST TIMOR

SECURITY COUNCIL
Fifty-second year

Letter dated 5 September 1997 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a note verbale dated 28 August 1997 from the Portuguese Embassy in Canberra to the Department of Foreign Affairs and Trade of Australia concerning the protest expressed by the Government of Portugal against the signature by the Government of Australia of the treaty between Australia and the Republic of Indonesia establishing an exclusive economic zone boundary and certain seabed boundaries, in as far as such treaty relates to the Non-Self-Governing Territory of East Timor (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under items 90 and 95 of the provisional agenda, and of the Security Council.

(Signed) Antonio MONTEIRO
Ambassador
Permanent Representative of Portugal
to the United Nations

* A/52/150 and Corr.1.

ANNEX

Note verbale dated 28 August 1997 from the Embassy of Portugal in Canberra addressed to the Department of Foreign Affairs and Trade of the Government of Australia

1. The Government of the Portuguese Republic took notice of the signature of a treaty between the Government of Australia and the Government of the Republic of Indonesia establishing an exclusive economic zone boundary and certain seabed boundaries.

In addition to subject matters that concern Australia and Indonesia (only), the treaty purports to establish the exclusive economic zone boundary between Australia and the Non-Self-Governing Territory of East Timor.

2. In such point, the "treaty follows the path of the treaty between Australia and the Republic of Indonesia on the zone of cooperation in an area between the Indonesia Province of East Timor and northern Australia", dated 11 December 1989, now with the aggravating circumstance that it intends to establish a permanent delimitation of the spaces (exclusive economic zone) appertaining respectively to Australia and to the Non-Self-Governing Territory of East Timor.

3. Portugal does not recognize the intended delimitation and contends that on such matter the signature of the treaty constitutes one violation more to the status of East Timor as a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter of the United Nations, and to the rights of the people of East Timor, as well as to the status of the administering Power of the Territory.

4. The Government of Portugal recalls that during the proceedings of the East Timor case Australia formally acknowledged and the International Court of Justice took due notice thereof (para. 31 of the Judgment), that "the Territory of East Timor remains a Non-Self-Governing Territory and its people has the right to self-determination". Portugal maintains that the "de jure" recognition by Australia of the incorporation of East Timor in Indonesia is inconsistent with such acknowledgement.

5. The Government of Portugal reminds that, by its Judgment of 30 June 1995, the International Court of Justice declined to exercise jurisdiction in the East Timor case because, in the Court's view, "in order to decide the claims of Portugal, it would have to rule, as a prerequisite, on the lawfulness of Indonesia's conduct in the absence on that State's consent". "Whether the power to make treaties concerning [in the case] the continental shelf resources of East Timor belongs to Portugal or Indonesia would depend on whether Indonesia's entry into and continued presence in the Territory are lawful" (para. 35).

Portugal strongly emphasizes that Indonesia's entry into and continued presence in the Non-Self-Governing Territory of East Timor are unlawful, because they violate two fundamental rules of international law: the prohibition of the

use of force and of territorial acquisition by the use of force, and the principle of self-determination of peoples.

7. Therefore the Government of Portugal lodges its most vehement protest against the signature by the Government of Australia of the treaty between Australia and the Republic of Indonesia establishing an exclusive economic zone boundary and certain seabed boundaries, in as far as such treaty relates to the Territory of East Timor.

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Security Council

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S/1997/692
8 September 1997

ORIGINAL: ENGLISH

LETTER DATED 8 SEPTEMBER 1997 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait pursuant to paragraph 4 of Security Council resolution 1111 (1997). The report, covering the Committee's activities in relation to the implementation of Council resolution 986 (1995) during the first 90 days after the date of entry into force of paragraph 1 of resolution 1111 (1997), was adopted by the Committee on 8 September 1997.

(Signed) António MONTEIRO
Chairman
Security Council Committee established
by resolution 661 (1990) concerning the
situation between Iraq and Kuwait

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Annex

Report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995)

I. INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 4 of resolution 1111 (1997) of 4 June 1997, in which the Council requested the Security Council Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the date of entry into force of paragraph 1 of that resolution on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995) of 14 April 1995. By paragraph 1 of resolution 1111 (1997), the Council decided that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, should remain in force for another period of 180 days beginning at 00.01 hours, Eastern Daylight Time, on 8 June 1997.

2. To date, the Committee has submitted two reports to the Security Council pursuant to paragraph 12 of resolution 986 (1995) during the first 180 days since the beginning of the operation, the first on 11 March 1997 (S/1997/213) and the second on 30 May 1997 (S/1997/417).

II. SALE OF PETROLEUM AND PETROLEUM PRODUCTS

3. Following the approval of the pricing mechanisms submitted to the Committee on 5 August 1997 by the Iraqi State Oil Marketing Organization for liftings of Iraqi crude in the month of August, Iraq resumed petroleum sales on 8 August 1997. The overseers continued to advise the Committee on prices, volumes, liftings, destinations, management of the 90-day revenue objective of $1.07 billion (including the pipeline fee) and other pertinent questions related to imports and monitoring of petroleum exports originating in Iraq in accordance with the provisions of resolutions 986 (1995) and 1111 (1997).

4. As at 5 September 1997, the overseers had reviewed and approved a total of 24 contracts involving purchasers from 13 countries. The total quantity of oil approved for export under those contracts corresponds to approximately 107.9 million barrels for the entire 180-day period renewed by resolution 1111 (1997). All contracts submitted employed the pricing mechanisms approved by the Committee.

5. In the first 90-day period, 30 liftings totalling 35.7 million barrels, with an estimated value of $571 million, had been completed. The first lifting took place on 15 August 1997 at Ceyhan, in Turkey. The letters of credit opened for each of the loadings were confirmed by the overseers upon compliance with

the terms and conditions of the contracts approved and consultations with the parties concerned. About 62 per cent of the liftings have been made at Ceyhan.

6. Owing to the delayed start in the sales of petroleum, a tight lifting schedule has been adopted by the State Oil Marketing Organization to achieve the $1 billion revenue target for the first 90 days over a relatively short period. The overseers and the independent inspection agents (Saybolt) have worked closely to ensure the monitoring of the relevant oil installations as well as the liftings. They have received the full cooperation of the Iraqi authorities. However, it appears that the total revenue generated for the first 90-day period will be about $500 million below the 90-day objective of $1.07 billion (including the pipeline fee), if current prices remain unchanged.

7. Pursuant to paragraph 2 of the procedures (S/1996/636), 238 national oil purchasers have been nominated from 40 countries who are authorized to communicate directly with the overseers.

8. Pursuant to paragraph 14 of the Committee's procedures, the overseers have continued to report to the Committee once a week on the contracts considered by them regarding sale of petroleum originating in Iraq, including the cumulative quantity and approximate value of petroleum authorized for export. To date, 37 such reports have been submitted to the Committee.

III. EXPORT OF HUMANITARIAN SUPPLIES TO IRAQ

9. The Committee continues to attach high priority to the work of processing contracts for supplying humanitarian goods to Iraq. Following the renewal by resolution 1111 (1997) of the operations under resolution 986 (1995), humanitarian supplies to Iraq approved under resolution 986 (1995) during its first 180-day period continued to reach Iraq.

10. During the past 90 days, the Committee adopted a number of points of understanding aimed at further expediting the implementation of resolution 986 (1995). On 20 August 1997, the Committee approved the revision of the form of notification or request to ship goods to Iraq and the guidance note on its completion. A copy of the new form has been circulated to all Member States. With a view to facilitating the delivery of humanitarian supplies to Iraq, the Committee also agreed to extend the validity period of its approval letters to ship humanitarian supplies to Iraq from the initial 120 days to 180 days, with a possible further extension of another 90 days upon request. The above-mentioned measures have been implemented by the Secretariat as from 1 September 1997.

11. Following the adoption by the Council of resolution 1111 (1997), the Government of Iraq submitted a request on 14 June for the addition of a new entry point at the Iraqi/Syrian border for the import of goods under resolution 986 (1995). A technical mission from the United Nations visited Iraq from 11 to 14 July 1997 to ascertain the situation and to make an on-site survey of the proposed new entry point. Pursuant to paragraph 26 of the memorandum of understanding between the Secretariat and the Government of Iraq on the implementation of resolution 986 (1995) (S/1996/356), and upon the recommendation of the technical mission, the Secretary-General approved on

31 July 1997 the designation of Al-Walid at the Iraqi/Syrian border (facing Al-Tenf, Syrian Arab Republic) as a new entry point for the supply of humanitarian goods to Iraq under resolution 986 (1995). Preparations are currently under way for the deployment of 10 independent inspection agents in the entry point for the purpose of confirming the arrival of humanitarian supplies to Iraq in accordance with paragraph 36 of the Committee's procedures for the implementation of resolution 986 (1995).

12. As required under paragraph 8 (a) (ii) of resolution 986 (1995), the Government of Iraq has on 4 August 1997 submitted a new distribution plan for the purchase and distribution of humanitarian supplies for an additional period as defined in resolution 1111 (1997). The new distribution plan was subsequently approved by the Secretary-General.

13. At the date of the adoption of the present report, the Committee has received 855 applications related to the oil-for-food programme under resolution 986 (1995). Of that number, 42 have subsequently been cancelled; 789 have been circulated to Committee members for action; 687 have been approved, totalling approximately $1,207 million; and 79 have been placed on hold. Of the remaining 23, 20 have been blocked and 3 are awaiting decisions of the Committee since the time limit within which the Committee is expected to decide has not elapsed. Twenty-four have not yet been circulated to Committee members since the Secretariat is still waiting for the needed information from the applicant States. To date no applications for the export of humanitarian goods under resolution 1111 (1997) have been received by the Secretariat. Owing to the delayed beginning of oil sales, it is not anticipated that funds for exports to Iraq will be available in the escrow account until mid-September.

14. The work of goods arrival confirmation by the United Nations independent inspection agents (Lloyd's Register) has been going on smoothly at the three existing entry points at Trebil, Zakho and Umm Qasr. The Iraqi authorities have accorded the independent agents full cooperation in their operation. As of 5 September 1997, 226 consignments of humanitarian supplies have been confirmed as having arrived in Iraq in total or in partial shipments.

IV. MATTERS RELATING TO THE KIRKUK-YUMURTALIK PIPELINE

15. As summarized in the Committee's previous report on the oil-for-food operation (S/1997/417), Turkey had requested the Committee's approval pursuant to paragraph 2 of resolution 986 (1995) for payments of the oil transportation fee due to Turkey during the first 180-day period of Iraq's oil exportation under that resolution. To date, two transfers of the pipeline fee with a total amount of $96,571,233 for the first 180 days have been effected, with Turkey as the beneficiary.

16. As summarized also in the Committee's report (S/1997/417), the Committee received from Turkey, pursuant to paragraph 9 of resolution 986 (1995), two requests to supply parts and equipment for the repair and maintenance of the Kirkuk-Yumurtalik pipeline system in Iraq. The first one, relating to equipment for the immediate repair work to the pipeline, was approved by the Committee on 15 July 1997 following the submission by Turkey of a specific export contract on

2 April 1997. The second one, which concerns the supply of equipment by Turkey aimed at ensuring the medium- and long-term safety of the pipeline, is still pending since the Committee needs more time to be able to assess the actual needs of such supplies only after the completion of the initial repair of the pipeline.

V. OBSERVATIONS AND RECOMMENDATIONS

17. The process of the export of petroleum from Iraq has proceeded in full compliance with the provisions of Security Council resolutions 986 (1995) and 1111 (1997), the memorandum of understanding and the procedures adopted by the Committee. At the same time, the Committee has made repeated efforts to expedite the processing of humanitarian supplies to Iraq and consignments of supplies approved during the initial 180-day period operation continue to arrive in Iraq steadily. With the approval by the Secretary-General of the new distribution plan and the computerization of the categorized list of goods annexed to the plan, the Committee will be in a better position to address the humanitarian needs of the Iraqi people by expediting further the processing of contracts.

18. Owing to the delay in the export of petroleum in the first two months following the adoption of resolution 1111 (1997), the total revenue generated by Iraqi oil exports did not reach the objective of $1.07 billion (including the pipeline fee) for the first 90-day period ending 5 September 1997. The likely implications of the shortfall in oil revenues have been brought to the attention of the Security Council.

19. The Committee is appreciative of the support, cooperation and understanding from all concerned in discharging its responsibilities under resolutions 986 (1995) and 1111 (1997). It remains fully committed to the mandate entrusted to it by the Security Council.

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LETTER DATED 5 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF LUXEMBOURG TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued on 4 September 1997 by the Presidency of the European Union concerning the mediation efforts in the Congo (Brazzaville).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Jean-Louis WOLZFELD
Permanent Representative of
Luxembourg to the United Nations

97-23355 (E) 080997 080997

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Annex

[Original: English and French]

Statement concerning the mediation efforts in the Congo (Brazzaville) issued on 4 September 1997 by the Presidency of the European Union

The European Union remains seriously concerned at the situation in the Congo and wishes to reiterate its statements of 20 June and 11 July in which it expressed the hope that the mediation efforts undertaken would rapidly lead to a peaceful resolution of the conflict. It notes with dismay that the parties to the conflict have not so far been able to overcome their differences and accept any of the draft peace agreements proposed, and that, on the contrary, the conflict has started to spread beyond the Congolese capital.

The European Union once again calls on the parties to cease hostilities immediately and permanently and to work together for the restoration of civil peace and national reconciliation.

In this context, the European Union reiterates its full support for the mediation efforts undertaken by President Bongo of Gabon and Mr. Mohamed Sahnoun, the Special Envoy of the Secretaries-General of the United Nations and Organization of African Unity. It calls upon all the Congolese parties to conclude, without delay, a peace agreement on the basis of the proposals made by the mediators.

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S/1997/694
8 September 1997

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 28 of Security Council resolution 1088 (1996) of 12 December 1996. It summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my report of 16 June 1997 (S/1997/468). It also provides an overview of the activities of the United Nations system in Bosnia and Herzegovina during the same period.

2. The mission continues to be led by my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, Mr. Kai Eide (Norway). He is assisted by Mr. Manfred Seitner (Denmark), who serves as the Commissioner of the United Nations International Police Task Force.

II. ACTIVITIES OF THE MISSION

International Police Task Force

3. Pursuant to Security Council resolutions 1103 (1997) of 31 March 1997 and 1107 (1997) of 16 May 1997, the authorized strength of the International Police Task Force is 2,027. As at 4 September, the Task Force had a strength of 2,015 monitors from 38 different countries (see annex).

4. Activities of the Task Force continue to be carried out by two main components: Operations and Development. The Operations Division monitors the local police in order to ensure freedom of movement, adherence to professional police procedures and respect for human rights. The Development Division assists the local authorities in the restructuring of their police forces through downsizing and the screening of their officers for criminal records. Officers are then tested, approved for service and trained.

5. There has been further progress in the restructuring of the Federation police during the current reporting period. The formal inauguration of the Goražde cantonal police, on 15 July, provided momentum to continuing efforts to restructure the cantonal police in the ethnically mixed Neretva and Central

Bosnia cantons. In protracted negotiations that have continued beyond the signing of the 6 June agreement to integrate the Neretva canton police, Bosniac and Croat officials agreed to restructure the six Mostar city police administrations and its multi-ethnic central district first and then to do the same in the canton's six rural municipalities. Many politically inspired delays in implementing this agreement have required the constant attention of my Special Representative and senior Task Force officials, as well as the intervention of the Office of the High Representative and officials of Member States. Similar delays in the restructuring of the police were also experienced in the ethnically mixed Central Bosnia canton. However, the formal inauguration of the newly integrated police force took place on 22 August and the process of implementing the restructuring has begun. The restructuring of the Federation police in the remaining cantons is expected to be formally completed by the end of September. However, continuous efforts at training will be needed to ensure that formal integration leads to the development of a genuine modern police force.

6. The International Police Task Force conducted further training courses for local police to facilitate their transition to police forces that operate according to internationally accepted democratic policing standards. Newly certified police in Sarajevo have begun to undergo a three-week transition course taught by trained local police officers under Task Force supervision. In addition, 1,150 students have already attended a one-week human dignity course, also taught by trained local police officers under Task Force supervision. The Task Force plans to introduce a field officer training course (in cooperation with the international criminal investigative training assistance programme), as well as a six-month recruit training course and a supervisor training course. While beginning to rehabilitate the current Federation Police Academy in Sarajevo, the Task Force is assisting in the planning for another academy with more specialized courses.

7. Efforts have continued to reach an agreement on police restructuring with the authorities of the Republika Srpska. However, two developments have made this task even more difficult than in the past. On 28 June, President Biljana Plavšić, who is based in Banja Luka, suspended the Minister of the Interior, giving among other reasons his failure to cooperate with the International Police Task Force in the restructuring of the Republika Srpska police. That action, which was rejected by the Prime Minister and other officials based in Pale, has led to a serious constitutional crisis in the Republika Srpska, which has made it difficult for UNMIBH to find a legitimate and competent interlocutor on police matters. In addition, on 10 July, the Stabilization Force (SFOR) conducted an operation to detain two men with sealed indictments for crimes against humanity from the International Tribunal for the Former Yugoslavia. This action precipitated a three-week period of sporadic petty violence directed against international organizations deployed in Republika Srpska, which hindered operations of civilian agencies in that entity and impeded negotiations over police restructuring.

8. Against this background, on 7 August, my Special Representative came to an agreement with the SFOR Commander on the status of the paramilitary forces known as "special police" or "police anti-terrorist brigade". SFOR confirmed that, under the terms of annex 1A of the Dayton Agreement, such forces would be

treated as military units, subject to SFOR control. It issued Instructions to the Parties specifying the controls to which forces would be subjected. In that connection, the International Police Task Force established a target date of 31 August for completing negotiations with the Republika Srpska authorities on police restructuring and indicated that members of the special police forces could be included in the regular police through the restructuring process. Regrettably, owing mainly to the political crisis within the Republika Srpska leadership, the target date was not met. In addition, the Task Force and SFOR agreed that, with effect from 31 August 1997, any police force that was still operating in a canton of the Federation where restructuring was complete and that had not been certified by the International Police Task Force was illegal and would be dealt with by SFOR.

9. The Task Force has also developed a draft agreement with the Republika Srpska on an overall restructuring plan that would generally conform to the provisions already agreed upon with the Federation authorities, but which would also reflect the constitutional arrangements in the Republika Srpska. This draft has been presented for the consideration of President Plavšić and of the authorities in Pale.

10. The constitutional crisis in the Republika Srpska took a dramatic turn on 17 August, when evidence was revealed of the interception of President Plavšić's communications by the police and of intimidation of two judges of the Republika Srpska Constitutional Court involved in the ruling on the legality of the President's decision to dissolve Parliament and call for new elections. President Plavšić then appointed new chiefs of public security and of state security in Banja Luka. At the request of the Office of the High Representative, the International Police Task Force initiated an urgent investigation of the allegations of human rights abuses at the Banja Luka Public Security Centre, during which it uncovered large quantities of illegal weapons and ammunition. After the High Representative determined that the Republika Srpska President had the legal authority to suspend the chief of police and appoint a replacement, and after President Plavšić indicated her support for the IPTF police reform programme, an operation was conducted by IPTF and SFOR that uncovered additional large quantities of illegal weapons from four other police stations in Banja Luka. During that operation the newly appointed chief of police took control of the Banja Luka Public Security Centre. All illegal weapons were confiscated by SFOR.

11. On 28 August, disturbances between supporters of the President and of the Prime Minister broke out in Brčko. In connection with those disturbances, a number of completely unprovoked attacks were made on United Nations personnel and property. Fortunately, only one Task Force monitor was slightly injured, but more than 30 vehicles were seriously damaged and the Task Force station in Brčko completely looted. The Special Representative delivered a strong protest to the authorities in Pale, which, at his insistence, was read out in full over Bosnian Serb television.

12. The Operations Division of the International Police Task Force continues to contribute to the improvement of freedom of movement, to monitor and assist in the establishment of safe conditions for returning refugees and displaced persons, to monitor and assist in the establishment of safe conditions during

the election campaign and to carry out investigations into allegations of abuses by the local police.

13. Freedom of movement is promoted through the implementation of the checkpoint policy, which was described in my previous report (see S/1997/468, para. 5). The attitude of the parties to the checkpoint policy has remained basically unchanged.

14. The checkpoint policy has led to tangible results. In May, an average of 300 checkpoints were permitted each day and during the first two weeks of implementation of the checkpoint policy, the International Police Task Force identified 13 illegal checkpoints in the Federation and 23 in the Republika Srpska. By contrast, currently only about 15 checkpoints a day are approved and, during the first two weeks of August, only 8 illegal checkpoints were identified in both the Federation and the Republika Srpska. This reduction in checkpoints has substantially improved freedom of movement, although problems remain with travel between the two entities. The Task Force has undertaken a comprehensive review of policy, which, it is anticipated, will conclude that, whereas harassment of drivers has substantially decreased and key transit routes are relatively open, there will not be full freedom of movement until the authorities from both entities adopt a common licence plate, as mandated by the Ministerial Meeting of the Steering Board of the Peace Implementation Council, held at Sintra, Portugal, on 30 May 1997 (see S/1997/434).

15. In accordance with its mandate, IPTF carried out investigations of human rights violations by local police during the current reporting period. Those investigations related to incidents in Sarajevo and Jajce (in the Federation) and, as noted above, in Banja Luka (in the Republika Srpska).

16. In cooperation with the Federation Ministry of the Interior, the International Police Task Force completed its investigation of 28 cases of alleged human rights abuses by Sarajevo canton police that had been reported in the period from 1 January to 15 June 1997. The allegations involved assault, harassment and use of excessive force. The investigation substantiated five cases of assault in which local police officers had been directly involved in beatings. On 22 July, the Task Force met with the Sarajevo Minister of the Interior and recommended the suspension of one police officer, disciplinary action and demotion in the case of three other officers and the issuance of warrants against four additional officers. In August, the Sarajevo cantonal Ministry of the Interior announced that disciplinary actions had been taken against the local police officers, as suggested by the Task Force.

17. In Jajce, the Task Force investigated the Croat police response to acts of intimidation and violence against Bosniac returnees to the Jajce municipality. Such acts included setting houses on fire and, during the first week of August, a series of roadblocks, demonstrations, threats by groups of Croats and one murder. The Task Force found that the local police had not offered adequate protection to the returnees. Further, the police force was negligent during the roadblocks and demonstrations, because, almost invariably, they took no action even at the explicit request of the Task Force. As a result, some 400 to 550 Bosniacs had been forced to leave their homes by 4 August. The Task Force submitted a report on the incidents to the Federation authorities, asking them

to investigate further the conduct of 10 Jajce police officers. On the basis of the evidence available, the Task Force Commissioner recommended that the Chief and Deputy Chief of the Jajce police be dismissed and that disciplinary proceedings be initiated against eight other officers.

18. The International Police Task Force's close cooperation with the Organization for Security and Cooperation in Europe (OSCE) in the implementation plan for the September municipal elections is based on the pattern of cooperation set at the previous elections in September 1996. The Task Force will increase its monitoring activities around election time to help ensure a secure environment for the polling. In addition, it will pay particular attention to ensuring security on the recommended voters' routes for voters crossing the Inter-Entity Boundary Line on election day.

Civil Affairs

19. During the period under review, Civil Affairs was engaged in political reporting, providing guidance to the International Police Task Force, training and supporting the combined international effort on municipal elections. Since the eruption of the political crisis in the Republika Srpska, Civil Affairs has taken the lead in tracking the many developments in the crisis and has been the principal source of reporting on it for the United Nations and, in many cases, for the international community at large. Information was channelled through my Special Representative to the High Representative, the Commander of SFOR and the OSCE Head of Mission.

20. Civil Affairs has also been actively pursuing its mandate to provide political guidance to the International Police Task Force, in particular in the Brčko area. Together with the International Police Task Force and the Office of the High Representative, Civil Affairs has taken the lead in formulating the United Nations response to the intransigence of the Republika Srpska police in Brčko. It has been closely involved in the consultations on all major police-related policy questions in the Brčko area, including the issuance of Republika Srpska identity papers to non-Serbs returning to Brčko, the collection by the Republika Srpska authorities of illegal "visa fees", the non-attendance by the Republika Srpska police at regular chiefs of police meetings, and, most important, the ethnic structure of the Brčko police to be fielded after the municipal elections in September.

21. Civil Affairs has also become involved in the training of Task Force monitors deploying into the country via the Sarajevo headquarters. Furthermore, at the request of the OSCE Chief of Mission, Civil Affairs has provided support to the OSCE-led election effort by organizing town hall meetings for candidates and members of the public in a large number of towns across the country.

Human Rights Office

22. In order to fulfil its responsibility to carry out investigations of human rights violations by local police forces, UNMIBH has set up a Human Rights Office and recruited a Chief of Human Rights for the Mission. The Office is responsible for coordinating all human rights activities of the Mission, including maintaining liaison with the other human rights organizations

operating in the mission area. The Human Rights Office led the investigation on the expulsion of Bosniacs from Jajce and related conduct by the local police.

Legal Office

23. The Legal Office has continued to support the International Police Task Force in fulfilling its mandate by providing legal guidance on the authority of the Task Force Commissioner with respect to non-compliance of law enforcement officials other than police; by advising on the applicability of laws and regulations affecting freedom of movement; by advising on election-related issues and on resolving property disputes; by participating in the negotiations on the restructuring of the police of the Republika Srpska and on several agreements for the United Nations Mine Action Centre; and by commenting on the compatibility of cantonal laws on police with the General Framework Agreement for Peace.

Mine Action Centre

24. On 11 August, at the completion of their training, 120 deminers, equipped and employed by the Mine Action Centre, started work in three separate locations. Under the terms of agreements that are now being negotiated, the authorities of the Federation and the Republika Srpska should take over the employment of these personnel not later than 31 December 1997. An additional 30 deminers have been trained by a non-governmental organization for deployment in Bihać, and the Centre has concluded six contracts for small emergency mine-clearance projects by local commercial companies.

25. The Centre's minefield database now holds details of 17,854 minefields, which is thought to be about half the actual total. New information is being added continuously, while existing information is being transferred onto detailed maps to be made available to mine-clearance teams.

26. The Centre continues to cooperate with the European Commission, Norwegian People's Aid, SFOR, the World Bank and other bilateral donors in the implementation of their programmes. This includes the coordination of priorities with local authorities, the adoption of common technical standards and the coordination of mine-awareness activities.

27. The total area cleared and reported to the Mine Action Centre by all organizations participating in the mine action programme for July and August 1997 was 320,228 square metres, with 545,117 square metres surveyed. The rate of clearance has risen rapidly since early July.

28. The memorandum of understanding between the Department of Humanitarian Affairs and the Council of Ministers regarding the relationship between the Mine Action Centre and the national Commission on Demining is expected to be signed shortly. The Presidency of Bosnia and Herzegovina has allocated an initial budget to the Commission. Detailed discussions are now under way between, on one side, UNMIBH, the Office of the High Representative and bilateral donors, and, on the other, the national Commission and the authorities of the Federation and the Republika Srpska, on the particulars of the arrangements for the management of demining activities after 31 December 1997.

29. Since January 1997, the Department of Humanitarian Affairs has received new pledges and contributions for the Mine Action Centre in Bosnia and Herzegovina totalling $2,150,487. Additional contributions totalling $16 million are urgently required if the Centre is to reach its revised target for 1997.

Trust Fund Unit

30. The Trust Fund Unit's internal review of its activities during the past three months concluded that the quick impact fund programme had made a positive contribution to the reconstruction of Sarajevo. UNMIBH therefore intends to use capital that is still in the Trust Fund for the quick impact fund and is currently identifying new projects that meet the criteria of the Trust Fund's terms of reference and provide sustainable benefit for a maximum target audience.

III. ACTIVITIES OF THE UNITED NATIONS SYSTEM

Food and Agriculture Organization of the United Nations

31. The Food and Agriculture Organization of the United Nations (FAO) has been focusing its efforts on the emergency production of high-quality seed for war-affected areas in Bosnia and Herzegovina in order to establish early generation seed production and maintenance, to increase the production of high-quality primary seed and to install a seed quality control and phytosanitary capacity. During the current reporting period, the project dealt with the major crops, including potatoes, wheat, onions, alfalfa and beans. FAO has also procured equipment for seed quality control laboratories in Sarajevo and Banja Luka and has prepared interim premises for the laboratory in Sarajevo.

United Nations Children's Fund

32. The United Nations Children's Fund (UNICEF) continued its focus on long-term reconstruction and development assistance. Regarding health issues, UNICEF concentrated its activities on young children by organizing a breastfeeding promotion training programme in the Republika Srpska and by discussing the creation of conditions for establishing "baby-friendly" hospitals with Federation health authorities. Promotion of health has also been achieved by the repair of school sanitary systems throughout the country, with a special focus on Brčko, and by issuing a comic book on sanitary water for elementary schoolchildren. UNICEF has contributed to mine awareness by sponsoring a series of training sessions with children's football clubs, with the support of famous British football players. In the "Children in Especially Difficult Circumstances" project, a secondary school pilot trauma project, was initiated in Banja Luka with an institutional partner. UNICEF also promoted the Convention of the Rights of the Child by publishing a book of poems In the World of Children's Justice, by a prominent Bosnian poet and by sponsoring a round table on the Convention, in cooperation with a local non-governmental organization.

United Nations Development Programme

33. The United Nations Development Programme (UNDP) continued to expand its activities in the context of its country cooperation framework for 1997-1999 with emphasis on national sectoral reconstruction programmes and policy advisory support to Federation and Republika Srpska authorities. Requests from both the Federation and Republika Srpska authorities led UNDP to strengthen its aid coordination and debt-management units. UNDP has now begun reconstruction activities valued at $6.5 million in areas identified by the Office of the United Nations High Commissioner for Refugees (UNHCR) as targets for the return of refugees, as well as activities under its employment programme.

United Nations Educational, Scientific and Cultural Organization

34. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has concentrated on the following projects during the reporting period: the completion of the rehabilitation plan for the old town of Mostar; a project to enhance administration and planning capacity in the educational administration of the Central Bosnia canton and the Ministry of Education and Culture; the reconstruction and rehabilitation of part of Tito Barracks in Sarajevo for use as a national library; and the rehabilitation of four primary schools in Mehurici in the Central Bosnia canton.

Office of the United Nations High Commissioner for Human Rights

35. During the period under review, the Office of the United Nations High Commissioner for Human Rights continued activities in monitoring and confidence-building in the field of human rights. It organized two missions by the Special Rapporteur to the country, in which special attention was paid to the human rights situation of refugees and displaced persons, in particular those returning to the areas of Brčko, Drvar and Prozor.

36. In an effort to contribute to the creation of an independent judiciary in Bosnia and Herzegovina - a crucial guarantee for the protection of human rights - the Office has initiated a legal assessment of the election and appointment of judges. It has cooperated with the Office of the High Representative, the International Police Task Force, OSCE and several non-governmental organizations in efforts to ensure that the Federation and Republika Srpska authorities respect and act in accordance with international standards on the independence of the judiciary. Human rights experts from the Mission continue to supervise a trial monitoring project throughout the country.

Office of the United Nations High Commissioner for Refugees

37. The Office of the United Nations High Commissioner for Refugees (UNHCR) continued its efforts to implement annex 7 of the Dayton Agreement. It is estimated that, since the beginning of the year, some 90,000 refugees and displaced persons have returned to their homes in Bosnia and Herzegovina, half of them from asylum countries.

38. The Office devoted considerable effort to the Open Cities Initiative, which aims at encouraging cities or municipalities where reconciliation between ethnic

communities is possible to declare publicly their willingness to allow minority groups to return to their former homes and to participate as full members of the community. UNHCR has so far recognized four open cities: Konjic, Busovaca, Vogosca and Bihać, all in the Federation. Other cities and municipalities are being actively considered and may be recognized as open in the near future. In such open communities, where willingness to accept minority return has been demonstrated, the community is to be supported with international assistance.

39. In another effort to expand the possibilities for minority return, UNHCR and cantonal authorities are working on plans to facilitate the return of refugees and their families to their homes in the Central Bosnia canton. The overall return plan will be finalized shortly and should make it possible for some 10,000 families to return.

40. Throughout the period, repatriation-related assistance continued to be provided and the local authorities in both the Federation and Republika Srpska were supported in their endeavours to provide assistance to vulnerable displaced persons in collective centres.

World Bank

41. The World Bank's mission in Bosnia and Herzegovina continues to implement the economic reconstruction programme approved by the international community at the Brussels conference in December 1995. The Bank is also helping Bosnia and Herzegovina to introduce reforms in the economic system to permit a more market-friendly economic development. A total of $350 million in World Bank funds has been mobilized for 16 specific projects to date. In addition, a fund of $150 million is being managed by the World Bank to co-finance those projects. The value of the projects prepared by the World Bank now in the implementation phase exceeds $1 billion. At the end of June 1997, contracts signed using World Bank-administered funds totalled 1,753, for a value of $283 million.

42. The World Bank continues to help coordinate the work of donors participating in the reconstruction programme. A third donor's conference, held in Brussels at the end of July, mobilized a further $1.1 billion in donor support for reconstruction. Specific pledges have been provided to UNHCR for its priority refugee return programme. The Bank has been able to mobilize substantial resources to rebuild houses in the UNHCR target zones and to implement job-creation programmes and other schemes for infrastructure development. Other agencies playing a key role with the World Bank in coordinating reconstruction are FAO, UNESCO, the World Health Organization (WHO) and the International Labour Organization (ILO). Those agencies lead reconstruction task forces set up by the World Bank, which cover agriculture, health, water and employment. The World Bank and UNDP have closely coordinated programmes, resulting in an excellent leverage of UNDP efforts and a particularly valuable contribution by UNDP to the World Bank-led reconstruction efforts.

World Food Programme

43. The World Food Programme (WFP) has continued to concentrate on re-categorizing its beneficiaries in Bosnia and Herzegovina since the WFP-led

joint food aid needs assessment mission recommended, in May 1997, the targeting of food aid to only the most vulnerable households. Consequently, the beneficiary caseload for Bosnia and Herzegovina was reduced from 1,334,949 in June to 662,500 in September. On the other hand, WFP increased its support to small-scale, short-term rehabilitation activities. To date, 625 tons of food have been programmed for 24 rehabilitation activities throughout the country, which will benefit 10,000 individuals.

World Health Organization

44. The World Health Organization (WHO) has continued to work with the Federation Ministry of Health to complete its strategic plan in the health sector. WHO is supporting the training of 30 family medicine teams and seeks to expand this project to include health workers throughout the country. It has cooperated with the Governments of France, Italy and Sweden in training programmes and workshops with public health and medical professionals designed to increase skills and to build the capacity of institutions in physical rehabilitation, mental health and public health engineering.

45. Following the joint statement issued by the Ministers of Health in November 1996, WHO has explored how progress in public health can contribute to increased communication across the Inter-Entity Boundary Line. Its six field offices represent geographical areas of responsibility, in which medical professionals from the Federation have begun to cooperate increasingly with colleagues from the Republika Srpska. In this way, the health needs of the Bijeljina region (in the Republika Srpska), are being coordinated by its office in Tuzla and doctors in Travnik (in the Federation) seek advice from its office in Banja Luka (in the Republika Srpska).

International Tribunal for the Former Yugoslavia

46. The Sarajevo office of the International Tribunal for the Former Yugoslavia acts as the contact point for the Tribunal's Prosecutor. It functions largely as a liaison office with the international organizations, whether civilian or military, in Sarajevo and provides support to investigations and ongoing trials in The Hague.

IV. OBSERVATIONS

47. The current crisis in the Republika Srpska is critical not only for the future of that entity, but also for the peace process and the role of the United Nations Mission in it. For almost two years, the authorities in the Republika Srpska have followed a policy of minimum implementation of the peace agreement. They have done little or nothing to reverse the effects of ethnic cleansing and to return refugees to their homes, they have obstructed the apprehension of persons indicted for war crimes and crimes against humanity, they do not cooperate adequately with the joint institutions of Bosnia and Herzegovina and they have not concluded a police restructuring agreement. They have paid a price for this policy, especially in terms of access to the capital resources needed to finance the reconstruction effort. Now, for the first time, there are voices within the Republika Srpska urging implementation of at least some parts

of the Dayton Agreement. It is essential for the international community that the present crisis be resolved in a way that will give greater voice to those forces wishing to move ahead with the peace agreement. The role of Member States in ensuring such an outcome will be important.

48. I welcome the achievement, by the Presidency of Bosnia and Herzegovina, of an agreement on diplomatic representation, as required by the Ministerial Meeting of the Steering Board of the Peace Implementation Council at Sintra, Portugal, on 30 May 1997 (see S/1997/434). However, the failure to achieve agreements on a common currency, on a citizenship law or on passports within the agreed time-frame is of great concern. Against that background, the adoption of a common vehicle licence plate by 31 December 1997, which was also agreed to at Sintra, promises to improve freedom of movement between the two entities. Given that the practical implementation of an agreement on common licence plates will take several months, it is imperative that a political agreement on this important matter be reached at the earliest possible moment.

49. The slow rate of progress in police restructuring in the Federation is the result of the considerable barriers erected by Croat and Bosniac officials in ethnically mixed cantons to the conclusion and implementation of agreements. The efforts of senior United Nations negotiators to break down those barriers have been helped by concrete support from the Office of the High Representative and by senior officials from Member States on their visits to the region. Although important progress has been registered, it is not yet certain that hard-line nationalists have given up their efforts to stop the process.

50. As the power struggle in the Republika Srpska plays itself out on the ground, the United Nations must continue to operate - and be seen by the factions to operate - strictly within its mandate. As long as the security situation allows UNMIBH and UNHCR to function, they intend to act pragmatically on the ground. In view of the fragmented nature of authority in the Republika Srpska, UNMIBH will cooperate with the de facto authorities in particular areas in implementing its mandate. In the case of the International Police Task Force, this means monitoring, advising and training the police, assisting with its restructuring and investigating abuses of human rights by local police forces. In the present tense and volatile situation, however, the security of United Nations personnel - unarmed civilian police, as well as other civilian UNMIBH and UNHCR staff - deployed in small groups across the Republika Srpska is a matter of serious concern. It is essential that they continue to enjoy the close coordination and active support of SFOR in carrying out their duties.

Annex

Composition of the International Police Task Force as at 4 September 1997[a]

Argentina	49
Austria	39
Bangladesh	31
Bulgaria	47
Canada	15
Chile	31
Denmark	38
Egypt	34
Estonia	9
Finland	20
France	114
Germany	166
Ghana	86
Greece	4
Hungary	46
India	146
Indonesia	18
Ireland	35
Italy	23
Jordan	175
Malaysia	38
Nepal	43
Netherlands	77
Nigeria	16
Norway	10
Pakistan	99
Poland	41
Portugal	59
Russian Federation	36
Senegal	32
Spain	56
Sweden	50
Switzerland	5
Tunisia	3
Turkey	27
Ukraine	41
United Kingdom of Great Britain and Northern Ireland	30
United States of America	226
Total	2 015

[a] The number of civilian police monitors may vary owing to rotations.

UNITED
NATIONS

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LETTER DATED 8 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF NIGERIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward, on behalf of General Sani Abacha, Head of State of the Federal Republic of Nigeria, and Chairman of the Economic Community of West African States (ECOWAS), the final communiqué of the ECOWAS Summit held in Abuja on 28 and 29 August 1997 (annex I), drawing particular attention to paragraphs 19 to 28 concerning regional peace and security, as well as the decision on sanctions against the Junta in Sierra Leone (annex II).

I would be grateful if the present letter and its annexes could be circulated as a document of the Security Council.

(Signed) Ibrahim A. GAMBARI
Ambassador/Permanent Representative

97-23375 (E) 090997 100997

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Annex I

Final communiqué of the summit of the Economic Community of West African States, held at Abuja on 28 and 29 August 1997

The Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) held its Twentieth Ordinary Session in Abuja, Federal Republic of Nigeria, on 28 and 29 August, 1997 under the Chairmanship of His Excellency General Sani Abacha, Head of State, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria.

2. Present at the session were the following Heads of State and Government or their duly accredited representatives:

- His Excellency Mathieu KEREKOU,
  President of the Republic of BENIN
- His Excellency Blaise COMPAORE
  President of FASO
  Chairman of the Council of Ministers
  BURKINA FASO
- His Excellency Colonel Yahya A.J.J. JAMMEH
  President of the Republic The GAMBIA
- His Excellency Flt-Lt Jerry John RAWLINGS (Rtd)
  President of the Republic of GHANA
- His Excellency General Lansana CONTE
  President of the Republic of GUINEA
- His Excellency General Joao Bernardo VIEIRA
  President of the Republic of GUINEA BISSAU
- His Excellency Charles Ghankay TAYLOR
  President of the Republic of LIBERIA
- His Excellency Alpha Oumar KONARE
  President of the Republic of MALI

- His Excellency General Ibrahim Mainassara BARE
  President of the Republic of NIGER

- His Excellency General Sani ABACHA
  Head of State and Commander-in-Chief of the Armed Forces
  of the Federal Republic of NIGERIA

- His Excellency Ahmad Tejan KABBAH
  President of the Republic of SIERRA LEONE

- His Excellency General Gnassingbe EYADEMA
  President of the TOGOLESE Republic

- His Excellency Habib THIAM
  Prime Minister of the Republic of SENEGAL

- The Honourable Dr. Alexandre MONTEIRO
  Secretary of State
  Minister of Commerce, Industry & Tourism
  representing the Prime Minister and Head of Government
  of CABO VERDE

- The Honourable Amara ESSY
  Minister of Foreign Affairs
  representing the President of COTE D'IVOIRE

- The Honourable Abdellahi Ould NEM
  Minister of Commerce, Handicraft and Tourism
  representing the President of the Islamic Republic of
  MAURITANIA

3. Attending the Twentieth Session as observers were :

- The Secretary-General of the Organisation of
  African Unity (OAU)

- The Assistant Secretary-General of the United Nations,
  representing the Secretary-General of the United Nations

- The Chairman of the Committee of Governors of Central Banks
  of West Africa

- The Director General of the West African Monetary
  Agency (WAMA)

- The President of the West African Development Bank (BOAD)
- The President of ECOBANK Transnational Incorporated (ETI)
- The President of the Federation of West African Chambers of Commerce (FWACC)
- The Secretary-General of the West African Women's Association (WAWA)
- The Deputy Governor of the Central Bank of West African States (BCEAO)
- The representative of the Economic and Monetary Union of West Africa (UEMOA)
- The Representative of FAGACE
- The Representative of West African Rice Development Association (WARDA)
- The Representative of the African Development Bank (ADB)
- The Representative of the Pan-African News Agency (PANA)
- The Representative of the African Center for Monetary Studies (ACMS)
- The Representative of the World Bank
- The Representative of the International Monetary Fund (IMF)
- The Representative of the European Union (EU)
- The Representative of the Islamic Development Bank (IDB)
- The Representative of the United Nations Development Programme (UNDP)
- The Representative of the United Nations Educational, Scientific and Cultural Organisation (UNESCO)
- The Representative of the United Nations Organisation for Industrial Development (UNIDO)

- The Representative of the United Nations Conference on Trade and Development (UNCTAD)

- The Representative of the Food and Agriculture Organisation (FAO)

- The Representative of the United Nations High Commissioner for Refugees (UNHCR)

- The Representative of the United Nations Observer Mission in Liberia (UNOMIL)

- The representative of the United Nations Drug Control Programme (UNDCP)

And a large number of High Commissioners and Ambassadors accredited to the Federal Republic of Nigeria.

THE ECONOMIC SITUATION IN WEST AFRICA

4. Heads of State and Government noted with satisfaction that over the past few years, most ECOWAS countries have made significant advances in the development of political institutions and economic structures, as a result of which the region recorded an appreciable economic growth rate of about 4 %, which is above the rate of population growth.

5. The Authority stressed that the monetary, budgetary, and structural policies needed to promote strong and positive growth are complementary and mutually reinforcing. The Heads of State and Government also emphasised the need to implement sound macro-economic policies which would consolidate the successes achieved by most ECOWAS Member States in the areas of inflation control, monetary discipline and improved adjustment policies, all of which are necessary for the harmonisation of economic and financial policies of ECOWAS countries.

6. The Authority took note and expressed its appreciation of the recent initiative by the international community to resolve the debt problems (including multilateral debt) of heavily indebted poor countries. The Authority noted with regret however that the criteria for eligibility are so strict that only two ECOWAS Member States qualify. It therefore appealed to the international community to make the criteria for eligibility more flexible to enable more countries in the region to benefit from the initiative.

LONG-TERM DEVELOPMENT STRATEGY FOR WEST AFRICA

7. Heads of State and Government exchanged views on the future perspectives of the West African economy. Convinced that significant development could only be achieved through a conscious and sustained effort at managing the national economies, the Authority urged all Member States to embark on formulating strategic long-term development frameworks such as initiated in Côte d'Ivoire under the African Elephant Programme, in Ghana as Vision 2020 and in Nigeria as Vision 2010.

8. Heads of State and Government reaffirmed their belief that national development could only succeed if conceived within a regional framework. It was therefore proposed that national long-term development frameworks should be formulated, based on a regional approach. The Authority directed the Executive Secretary, in collaboration with Member States and the relevant international institutions to complete the formulation of the ECOWAS regional development programme.

9. In this regard, Heads of State and Government welcomed the re-negotiation of the Lomé Convention in September 1998 as an opportunity to enhance the contribution of European Union assistance to West African development. The

Authority fully endorsed the declaration on future ACP/EU relations made in May 1997 at Lomé by West African national authorising officers. That declaration stressed that future European Union assistance to ECOWAS countries should focus on promoting West African integration. Heads of State and Government called upon the other development partners, especially the ADB, UNDP, World Bank and the International Monetary Fund (IMF) to provide long-term development assistance that fosters West African integration.

MONETARY INTEGRATION PROGRAMME

10. Heads of State and Government re-affirmed their full commitment to regional monetary integration and the eventual adoption of a single West African currency . They expressed satisfaction with the progress made during the year regarding the harmonisation of national economic and financial policies. In order to accelerate the achievement of the objective of a single monetary zone by the year 2000, the Authority created an ad hoc monitoring committee comprising the five Heads of State of Cabo Verde, Côte d'Ivoire, Ghana, Mali and Togo. On the basis of technical reports and proposals submitted to it, the Committee would give periodic policy directives and new orientations to facilitate compliance by Member States with the agreed monetary and financial targets. The Committee would also give the necessary political support to the programme and foster the mobilisation of the support required from relevant international organisations for the execution of the ECOWAS monetary integration programme.

LAUNCHING OF ECOWAS TRAVELLERS CHEQUE

11. Heads of State and Government considered ways of facilitating intra-Community payments as a means of enhancing regional transactions. The Authority agreed to complement the payments settlement scheme of the West

African Monetary Agency (WAMA) through the introduction of ECOWAS travellers cheque. It was decided therefore that the ECOWAS travellers cheque should be launched at the next meeting of the Committee of Governors of Central Banks, scheduled to take place towards the end of the year.

ENHANCEMENT OF THE FINANCIAL RESOURCES OF THE ECOWAS FUND

12. Heads of State and Government recalled their decision in 1987 to open equity participation in the Fund's capital to non-regionals. After a review of proposals submitted on the matter, the Authority agreed in principle that the Fund should be transformed into a more commercially-oriented institution, without losing sight of its development and integration objectives. The management of the Fund was, therefore, directed to commission a feasibility study to determine the type of financial institution that the ECOWAS Fund should be transformed into.

APPLICATION OF THE COMMUNITY LEVY

13. Heads of State and Government expressed concern over the poor performance of the Community institutions which was due partly to the inadequacy of financial resources, arising from the irregular payment of Member States contributions. It was recalled that, as a solution to this financial problem, the Revised Treaty provides for a Community levy, to replace direct budgetary contributions by Member States.

14. The Authority deplored the very slow pace of ratification of the Protocol on the application of the Community levy which had not made it possible for the levy to be introduced in January 1997. Desirous of generating as soon as possible sufficient resources for revitalising the West African integration process, Heads of State and Government passed a resolution urging all Member States to ratify this

protocol immediately and include the Community levy in their 1998 budget statements, so that the imposition of the levy could commence in January 1998.

LAUNCHING OF PHASE II OF ECOWAS TELECOMMUNICATIONS PROGRAMME

15. Heads of State and Government reviewed the status of the development of the regional telecommunications network against the background of the recent tremendous advances in the global communication system. Expressing its satisfaction with the successful completion of the first phase of the ECOWAS regional network, the Authority adopted the second phase of the West African telecommunications development programme, INTELCOM II.

16. This ECOWAS programme will modernise and expand the services of the telecommunications sector through full digitalisation and installation of other modern facilities, as well as an increase in telephone density. The programme is to ensure intra-Community transit, inter-connection, uniformity and compatibility. The programme therefore provides the requisite regulatory framework and the adoption of other convergence criteria. Heads of State and Government welcomed the emphasis that the programme gives to private sector participation and the commercialisation of retained public enterprises. The international financial institutions were invited to give their full support to the implementation of INTELCOM II.

PREVENTION AND CONTROL OF DRUG ABUSE IN THE WEST AFRICAN REGION

17. Heads of State and Government expressed concern over the rapid spread of drug abuse in West Africa and the increasing role of the region as a transit centre

for International drug trafficking. The Authority approved the Praia Political Declaration and Plan of Action which give fresh impetus to waging a more rigorous and coordinated war against drugs in the West African region. Heads of State and Government appealed to the United Nations Drug Control Programme and other relevant agencies to increase their support for drug control in West Africa.

CROSS-BORDER CRIMINAL ACTIVITIES

18. The Authority expressed concern over the increasing incidence of cross-border criminal activities and stressed the need to mount a coordinated campaign against this menace.

REGIONAL PEACE AND SECURITY

19. Heads of State and Government reaffirmed their determination to create within West Africa the peaceful and stable environment necessary for sustained development and regional integration. The Authority commended the Liberian people for putting behind them the traumatic experience of the civil war and conducting peaceful election on multi-party basis. Heads of State and Government recognising the need to sustain peace and development in Liberia, urged the people of the Republic of Liberia, Member States of ECOWAS, and the international community as a whole to support Liberia's post-war needs in the areas of repatriation and resettlement of refugees and internally displaced persons, re-integration, reconciliation, rehabilitation and reconstruction.

20. The Authority congratulated His Excellency President Charles Ghankay Taylor on his election and encouraged him to continue his policy of reconciliation and national unity. Following the free and democratic election in Liberia, the

Authority lifted all sanctions and embargos on Liberia and requested the international community to do the same.

21. The Authority expressed its deep appreciation to all those who contributed to the successful implementation of the ECOWAS Peace Plan for Liberia on the regional front. Special recognition was given to the immense and unstinted contribution of the ECOWAS Committee of Nine, the Member States contributing troops to the ECOWAS peace-keeping force (ECOMOG), and the gallant officers and men of ECOMOG. Similarly, the Authority expressed grateful thanks to the OAU, the UN, the EU and countries in the international community which made notable contributions to the peace effort. A minute's silence and prayer was observed in memory of all those who lost their lives in the Liberian civil war.

22. The Authority stressed that the restoration of peace to Liberia had convincingly demonstrated West African solidarity and its ability to resolve regional problems through mutual trust, tolerance, self-sacrifice and strong leadership. Heads of State and Government made a strong appeal for continued support from both within and outside West Africa for re-building Liberia. In this regard, the Authority expressed its willingness to extend, upon the request of the Government of Liberia, the stay of ECOMOG in Liberia for an extra period to be mutually agreed. The ECOWAS Executive Secretary was directed to negotiate appropriate protocols with the Government of Liberia to legalise further ECOWAS military/security assistance package to Liberia through ECOMOG. The financing of this operation will be borne by the Liberian government. However, the Authority appealed to other ECOWAS Member States and the international community to assist in this effort. The Executive Secretariat was directed to participate in the formulation and monitoring of the implementation of a reconstruction programme for Liberia.

23. Heads of State and Government, recalling the ECOWAS Declaration of Political Principles which they adopted at Abuja in July 1991, re-iterated their unwavering commitment to the establishment and smooth functioning of democratic institutions in each ECOWAS Member State. The Authority expressed its unreserved condemnation of the violent and unconstitutional overthrow of the democratically elected government of the Republic of Sierra Leone on 25 May 1997. Heads of State and Government deplored the looting, loss of life and property that accompanied the coup d'état, and the subsequent complete disruption of life in Sierra Leone.

24. The Authority warmly congratulated the ECOWAS Committee of Four on Sierra Leone and fully endorsed the objectives set out by the Ministers of Foreign Affairs with regards to Sierra Leone, which had also received the approval of the United Nations Security Council, namely:

i) the early reinstatement of the legitimate Government of President Tejan KABBAH
ii) the return of peace and security; and
iii) the resolution of the issues of refugees and displaced persons.

25. The Authority expressed its determination to deploy all efforts towards the peaceful resolution of the Sierra Leone crisis, and called for the cooperation and understanding of all the parties concerned. The Authority, deeply concerned about the breakdown of negotiations in Abidjan on 30th July 1997 between the Committee of Four and the illegal regime in Sierra Leone, and in view of the intransigence of the illegal regime, approved a package of sanctions and blockade as a further measure to ensure the restoration of the legitimate Government of President Tejan Kabbah. Heads of State and Government mandated ECOMOG,

to specifically monitor the ceasefire, enforce sanctions and embargo and secure the peace in Sierra Leone.

26. The Authority decided to enlarge the membership of the Committee responsible for monitoring the situation in Sierra Leone to five countries, by including the Republic of Liberia. It also decided to raise the status of the Committee to the level of Heads of State and Government.

CRISIS IN THE CONGO

27. Heads of State and Government received with appreciation, a special message from His Excellency Alhaji Omar BONGO, President of Gabon and Chairman of the International Mediation Committee on the Congo crisis. The Authority deeply regretted the deteriorating situation in the Congo. It made a strong appeal to all the parties concerned to observe the cease-fire and be fully committed to peace and political dialogue.

28. The Authority expressed its support for the untiring efforts of President El Hadj Omar Bongo to resolve the Congo crisis and has decided to send a delegation.

TRANSFER OF ECOWAS SECRETARIAT TO ABUJA

29. Heads of State and Government regretted the delayed movement of the Secretariat staff to Abuja because of the lack of staff accommodation. The Authority expressed warm gratitude to the Federal Government of Nigeria for the provision of a loan to enable the Community construct staff residential quarters in Abuja. Heads of State and Government directed the Executive Secretary to give priority attention to the matter so that the transfer of the ECOWAS Secretariat to Abuja could be completed during the course of 1998.

AWARD OF ECOWAS PRIZE OF EXCELLENCE

30. Heads of State and Government reaffirmed their commitment to the encouragement of research and the development of indigenous technology. The Authority felt convinced of the existence of a substantial regional potential in this field and expressed its satisfaction with progress already being made. The Authority further directed that future exercises should be more widely publicised throughout Member States so as to tap the abundant talent in the region. In recognition of their outstanding achievements in original research work the First ECOWAS Prize for Excellence in African pharmacopoeia was awarded to:

Dr. Modou LO of Senegal for his contribution to botanical and physico-chemical research on the sterculia gum; and

Prof. Augustine O. OKHAMAFE of Nigeria for his success in the extraction, development and utilisation of cellulose from selected agricultural waste.

EXPRESSION OF GRATITUDE TO MR. EDOUARD BENJAMIN

31. Heads of State and Government, noting the ill health of Mr. Edouard BENJAMIN, the ECOWAS Executive Secretary, wished him speedy recovery. They also expressed their gratitude to him for his service to the Community during his tenure.

APPOINTMENT OF STATUTORY OFFICERS

32. Heads of State and Government stressed the importance of strong leadership in the two institutions of the Community and proceeded to make the following decisions:

a) Executive Secretary

33. The Authority re-allocated the post of Executive Secretary to the Republic of Guinea and appointed Mr. Lansana KOUYATE as the new ECOWAS Executive Secretary as from 1st September 1997 for a four-year term.

b) Othes Statutory Officers

34. The Authority noted that the tenure of office of the other statutory appointees will end between now and January 3, 1998 and stressed the need to properly evaluate them. This evaluation will be done under the supervision of the Executive Secretary and in collaboration with the ad hoc Ministerial commitee on the Selection and Evaluation of Statutory Appointees. . The services of an expert bureau should be employed to facilitate this task.

35. The statutory appointees adjudged competent may be retained.

36. The posts of statutory officers whose terms are not renewed would be declared vacant and advertised in all Member States of the Community. The Authority decided that in order to recruit the best candidates, steps must be taken to ensure that all Member States have equal opportunity to serve the Community.

37. The Authority also decided that the new Executive Secretary should take steps to review the structure of the institutions of the Community. In this process he should employ the services of competent consultants.

c) External Auditors

38. Heads of State and Government expressed their satisfaction with the performance of the firm of auditors Akintola Williams & Company as the External Auditors of the Community and renewed its mandate for a third and final two-year term, with retroactive effect from August 1996.

FREQUENCY OF SUMMIT MEETINGS

39. In order to enhance regional integration efforts and ensure a better monitoring of the Community's activities, the Authority decided that henceforth its meetings should be held twice yearly. One of the meetings will be held at the Headquarters of the Community and the second by turns in the other Member States.

ELECTION OF CHAIRMAN

40. Heads of State and Government unanimously elected the Federal Republic of Nigeria as Chairman of the Community for the 1997-1998 period.

DATE AND VENUE OF NEXT SUMMIT

41. At the invitation of the Head of State of the Federal Republic of NIGERIA, the Authority decided to hold its twenty-first session at Abuja in July 1998.

VOTE OF THANKS

42. Heads of State and Government expressed sincere appreciation and gratitude to the Chairman of the Authority, His Excellency General Sani Abacha, Head of

State, and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria for the exemplary leadership he has consistently provided in the promotion of West African integration. General Abacha was particularly commended for the personal concern he showed over the Liberian crisis and the invaluable political, financial, human and material assistance that Nigeria extended over the past seven years in support of the successful ECOWAS peace plan for Liberia.

Annex II

Economic Community of West African States

Twentieth session of the Authority of Heads of State and Government, held at Abuja, on 28 and 29 August 1997

Decision on sanctions against the Junta in Sierra Leone

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Articles 7, 8 and 9 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

RECALLING the decision taken on the situation in Sierra Leone by the Heads of State and Government of the OAU at their thirty-third ordinary session held in Harare, Zimbabwe;

RECALLING also Statement S/PRST/1997/29 of 27 May 1997, Statement S/PRST/1997/36 of 11 July 1997 and Statement S/PRST/1997/42 of 5 August 1997 in which the President of the United Nations Security Council described as unacceptable the overthrow of the democratically-elected Government of President Ahmad Tejan Kabbah, called for the immediate and unconditional return to constitutional order in Sierra Leone and expressed the support of Council for the objectives of ECOWAS;

BEARING IN MIND the ECOWAS objectives contained in the Final Communique of the Meeting of Ministers of Foreign Affairs held in Conakry on 26 June 1997;

DEEPLY CONCERNED at the breakdown of negotiations between the Monitoring Committee on the situation in Sierra Leone and the representatives of the junta in Abidjan on 29-30 July 1997.

RECOMMEND

To the Authority of Heads of State and Government to adopt the draft decision attached hereto.

Done at Abuja, this 27th day of August 1997

Hon. Tom Ikimi
Chairman
For the Meeting

Decision

CONSIDERING the fact that the continued situation in Sierra Leone may raise the number of Sierra Leonean refugees in neighbouring Member States; thus threatening international peace and security in the sub-region;

BEARING IN MIND the ECOWAS objectives contained in the Final Communique of the Meeting of Ministers of Foreign Affairs held in Conakry on 26 June 1997;

DEEPLY CONCERNED at the breakdown of negotiations between the Monitoring Committee on the situation in Sierra Leone and the representatives of the Junta in Abidjan on 29-30 July 1997;

DECIDES

Article 1

The Community and its Member States reaffirm its position to spare no effort to restore constitutional order to Sierra Leone as soon as possible.

Article 2

Member States shall place immediately a general and total embargo on all supplies of petroleum products, arms and military equipment to Sierra Leone and abstain from transacting any business with that country. To this end, Member States shall:

(a) prevent sale or supply by their nationals or from their territories or using their flag vessels or aircraft, of petroleum or petroleum products or arms and related material of all types, including weapons and ammunition, military vehicles and equipment, police equipment and spare parts for the afore-mentioned, whether or not originating in their territories, to any

person or legal entity, for the purpose of any business carried out in or operated from the Republic of Sierra Leone, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply;

(b) prohibit any and all traffic from entering the territory or territorial waters of the Republic of Sierra Leone, carrying petroleum or petroleum products; or arms and related material of all types, including weapons and ammunition, military vehicles and equipment, police equipment and spare parts for the afore-mentioned;

(c) prevent from entering their respective territories, all members of the illegal regime, as well as military officers, members of their families, and other entities directly or indirectly connected with the regime and deny the use of their airspace to aircraft belonging to or carrying any member of the regime.

(d) prevent any activities by their nationals or on their territories which would promote the export or transhipment of any commodities or products originating in Sierra Leone and any transactions by their nationals or flag vessels or aircraft or in their territory any commodities or other products originating in the Republic of Sierra Leone or exported therefrom

Article 3

Member States shall freeze funds held by members of the illegal regime, military officers and civilians directly or indirectly connected with the regime as well as their families.

Article 4

Member States shall prohibit the importation of any commodities and products originating in Sierra Leone and the exportation of other goods to that country.

Article 5

Member States shall abstain from shipping and delivering humanitarian goods to the illegal regime, except with the prior approval of the Authority of Heads of State and Government of ECOWAS.

Article 6

The embargo imposed by this decision shall not apply to arms, military equipment and military assistance meant for the exclusive use of the sub-regional forces which shall be responsible for applying the measures contained in the Final Communique of the meeting of ECOWAS Ministers of Foreign Affairs issued on 26 June, 1997

Article 7

The sub-regional forces shall employ all necessary means to impose the implementation of this decision. They shall monitor closely the coastal areas, land borders and airspace of the Republic of Sierra Leone, and shall inspect, guard and seize any ship, vehicle or aircraft violating the embargo imposed by this decision

Article 8

In addition to the execution of the assignment contained in the Final Communique of 26 June 1997, the Monitoring Committee on Sierra Leone, referred to as the Committee of Four:

(i) shall request all Member States to communicate to it any new developments regarding measures taken to ensure effective implementation of this decision;

(ii) shall analyse any information brought to its notice by Member States concerning violations of the sanctions contained in this decision and recommend appropriate measures;

(iii) consider requests for permission to import into Sierra Leone, goods for humanitarian uses; and make necessary recommendations to the Authority;

(iv) report to the Authority regularly, any information it may have obtained concerning alleged violations of this decision and, where possible, identify the persons or entities, including the vessels, vehicles or aircraft accused of such violations.

Article 9

All Member States shall take necessary measures to ensure full implementation of this decision.

Article 10

The Committee of Four shall solicit assistance from the United Nations Security Council to render these sanctions imposed universal and mandatory, in accordance with the United Nations Charter.

Article 11

This decision shall be published by the Executive Secretariat in the Official Journal of the Community and by each Member State in its National Gazette.

DONE AT ABUJA, THIS 29TH DAY OF AUGUST 1997

GENERAL SANI ABACHA
CHAIRMAN
FOR THE AUTHORITY